IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6745 OF 2005

Mr Nandlal Shreechand Wadhawa ...Applicant
Vs.
The State of Maharashtra & Anr. ...Respondents

Mr Dinesh Tiwari for the Applicant.
Mr K.V. Saste, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 14, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The present Application is filed for Anticipatory Bail by the Applicant as there is an apprehension that the Applicant will be arrested in connection with the complaint filed by one Dipendrasingh Sachdeo, the President of Indian Hotels and Restaurants Association.

2. The learned Advocate for the Applicant submitted that till today F.I.R. is not registered against the Applicant. He submitted that the complaint is filed long back and till today F.I.R. is not registered. He pointed out the report dated 21st September, 2005 submitted by the Investigating Officer to the Sessions Court for opposing the Application for Anticipatory Bail made by the Applicant. He submitted that there are no allegations of giving threat or

indulging in extortion against the Applicant and the Applicant was merely an office bearer of the union for some time. He submitted that if at present there is no material against the Applicant, order may be passed directing the Respondent to give seventy-two hours notice in the event the Respondent desires to arrest the Applicant.

3. The learned A.P.P. pointed out that an offence has been registered bearing C.R.no.187 of 2005 under sections 115 and 120-B of the Indian Penal Code in which one accused Naresh Pardeshi has been arrested. He submitted that during the course of investigation, certain material has been found against the Applicant showing his involvement. He has placed the file pertaining to the investigation papers for my perusal.

4. After considering the submissions and perusing the relevant material collected during the investigation, I find that this is not a case where a restraint can be imposed on the Respondent by directing the Respondent to give seventy-two hours notice to the Applicant. There is no reason to take a view different from the view taken by the learned Sessions Judge. Hence, Application is rejected.

JUDGE